

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: PORTFOLIO RECOVERY
ASSOCIATES, LLC, TELEPHONE
CONSUMER PROTECTION ACT
LITIGATION

Civil No. 11-md-2295-JAH (BGS)
ORDER

On August 26, 2015, the Court held a telephonic Case Management Conference in the above entitled action. Interim Co-Lead Class Counsel Ethan Preston, Esq., and James Lattuner, Esq., appeared. Douglas Campion, Liaison Counsel to the Court, also appeared. Christopher Madel, Esq. and Jennifer Robbins, Esq., appeared for Defendant Portfolio Recovery Associates (“PRA”).

Following a careful review of the parties’ joint case management statement and after hearing from the interim leadership for Plaintiffs and counsel of record for Defendant, the Court issues the following **ORDERS**:

1. The informal discovery previously exchanged between PRA and Interim Co-Lead Class Counsel will be made available to all Plaintiffs’ counsel in this action subject to protective order. Defendant PRA shall submit its proposed protective order to Interim Co-Lead Class Counsel **no later than September 4, 2015**, for comment. Counsel for Defendants and Interim Co-Lead Class Counsel shall meet and confer on the proposed

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1 protective order **no later than September 10, 2015**. A joint proposed protective order
 2 shall be lodged with the Court **no later than September 17, 2015**. Following entry of
 3 the protective order, the Court will set a deadline for production of this discovery.

4 2. Interim Co-Lead Class Counsel shall submit a proposed order to the Court on **or**
 5 **before September 17, 2015**, regarding their request for preservation of privileges to
 6 safeguard communication among various plaintiffs' counsel.

7 3. The Court will hold an all-day Settlement Conference on **November 4, 2015 at**
 8 **9:30 a.m.** for *parties represented by Interim Co-Lead Class Counsel, Liaison Counsel*
 9 *and Defendant PRA only*. Confidential Settlement Conference briefs may be lodged
 10 with chambers *on or before October 28, 2015*. Formal discovery, limited only to those
 11 issues necessary to prepare for the November settlement conference, such as class size
 12 and class period, may be propounded by Interim Co-Lead Class Counsel, Liaison
 13 Counsel and Defendant PRA. **No other discovery, to or from any other party, is**
 14 **permitted at this time.**

15 4. If Interim Co-Lead Class Counsel and Defendant PRA are unable to settle this
 16 matter at the November 4, 2015 conference, the Court will hold a further telephonic case
 17 management conference on **November 16, 2015 at 10:00 a.m.** to discuss the implemen-
 18 tation of discovery limitations under Federal Rule of Civil Procedure 26 and class
 19 certification filing deadlines. Liaison counsel shall make arrangements for the call
 20 between Interim Co-Lead Class Counsel, Defendant PRA and the Court.

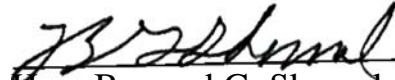
21 5. To prepare for this teleconference, a supplemental joint case management
 22 conference statement shall be filed **no later than November 11, 2015**. The statement
 23 shall address:

- 24 a.) Party positions on bifurcation of discovery;
- 25 b.) Deadline for filing motion for class certification;
- 26 c.) Proposed number of interrogatories;
- 27 d.) Proposed number of lay-witness depositions;
- 28 e.) Deadline for submission of expert reports;

- 1 f.) Format for managing expert depositions; and
2 g.) Deadlines for completion of fact and expert discovery.
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4 **IT IS SO ORDERED.**

5 DATED: August 27, 2015

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7 Hon. Bernard G. Skomal
8 U.S. Magistrate Judge
9 United States District Court
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